

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ACCESS CAPITAL INVESTMENTS FUND  
TWO, L.P.,

Plaintiff,

v.

ALBERT R. PUJOL, et al.,

Defendants.

No. C 15-0312 MMC

**ORDER ADOPTING MAGISTRATE  
JUDGE'S REPORT AND  
RECOMMENDATION; GRANTING IN  
PART AND DENYING IN PART  
PLAINTIFF'S MOTION FOR ORDER  
REMANDING REMOVED ACTION TO  
STATE COURT; REMANDING ACTION**

Before the Court is Magistrate Judge Joseph C. Spero's Report and Recommendation Regarding Motion to Remand, filed February 13, 2015. In said Report and Recommendation, Magistrate Judge Spero recommends the Court grant plaintiff's "Motion for Order Remanding Removed Action to State Court" to the extent the motion seeks remand of the above-titled action for lack of subject matter jurisdiction, and to deny the motion to the extent it seeks an award of attorney's fees. No party has filed an objection to the Report and Recommendation.

Having reviewed the matter de novo, the Court hereby ADOPTS the Report and Recommendation in its entirety.

Accordingly:


1. Plaintiff's motion is hereby GRANTED to the extent the motion seeks remand for lack of subject matter jurisdiction, and the above-titled action is hereby REMANDED to the

1 Superior Court of California, in and for the County of Contra Costa.

2 2. Plaintiff's motion is hereby DENIED to the extent the motion seeks an award of  
3 attorney's fees.

4 **IT IS SO ORDERED.**

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6 Dated: March 3, 2015

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8 MAXINE M. CHESNEY  
9 United States District Judge